

OFFICE OF THE CLERK
OF THE TEXAS LEGISLATURE
1000 RICHMOND STREET, DALLAS, TEXAS 75201
214.757.3000

FILED MAR 09 1999

By Tom Ramsay

H.B. No 2620

A BILL TO BE ENTITLED
AN ACT

relating to authorizing counties to prohibit or restrict outdoor
burning; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 240, Local Government Code,
is amended by adding Section 240.906 to read as follows:

Sec. 240.906. REGULATION OF OUTDOOR BURNING. (a) In this
section, "drought conditions" means the existence of a long-term
deficit of moisture creating atypically severe conditions with
increased wildfire occurrence as defined by the Texas Forest
Service through the use of the Keetch-Byram Drought Index or, when
that index is not available, through the use of a comparable
measurement that takes into consideration the burning index, spread
component, or ignition component for the particular area.

(b) On the request of the commissioners court of a county,
the Texas Forest Service shall determine whether drought conditions
exist in all or part of the county. The Texas Forest Service shall
make available the measurement index guidelines that determine
whether a particular area is in drought condition. Following a
determination that drought conditions exist, the Texas Forest
Service shall notify the county when drought conditions no longer
exist. The Texas Forest Service may accept donations of equipment
or funds as necessary to aid the Texas Forest Service in carrying
out this section.

1 (c) The commissioners court of a county by order may
2 prohibit or restrict outdoor burning in general or outdoor burning
3 of a particular substance in all or part of the unincorporated area
4 of the county if:

5 (1) drought conditions have been determined to exist
6 as provided by Subsection (b); or

7 (2) the commissioners court makes a finding that
8 circumstances present in all or part of the unincorporated area
9 create a public safety hazard that would be exacerbated by outdoor
10 burning.

11 (d) An order adopted under this section must specify the
12 period during which outdoor burning is prohibited or restricted.
13 The period may not extend beyond the 90th day after the date the
14 order is adopted. A commissioners court may adopt an order under
15 this section that takes effect on the expiration of a previous
16 order adopted under this section.

17 (e) An order adopted under this section expires, as
18 applicable, on the date:

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20 drought conditions no longer exist; or

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22 that the circumstances identified under Subsection (c)(2) no longer
23 exist.

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25 the violation or threatened violation of a prohibition or
26 restriction established by an order adopted under this section.

27 (g) A person commits an offense if the person knowingly or

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2 an order adopted under this section. An offense under this
3 subsection is a Class C misdemeanor.

4 SECTION 2. The importance of this legislation and the
5 crowded condition of the calendars in both houses create an
6 emergency and an imperative public necessity that the
7 constitutional rule requiring bills to be read on three several
8 days in each house be suspended, and this rule is hereby suspended,
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HOUSE COMMITTEE REPORT

1st Printing

By Ramsay

H.B. No. 2620

Substitute the following for H.B. No. 2620:

By Brown of Kaufman

C.S.H.B. No. 2620

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COMMITTEE REPORT

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives

4 7-21-19
(date)

Sir:

We, your COMMITTEE ON COUNTY AFFAIRS

to whom was referred HIB 2620 have had the same under consideration and beg to report back with the recommendation that it

- () do pass, without amendment.
- () do pass, with amendment(s).
- (x) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- (x) yes () no A fiscal note was requested.
- () yes (x) no A criminal justice policy impact statement was requested.
- () yes (x) no An equalized educational funding impact statement was requested.
- () yes (x) no An actuarial analysis was requested.
- () yes (x) no A water development policy impact statement was requested.
- () yes (x) no A tax equity note was requested.
- () The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

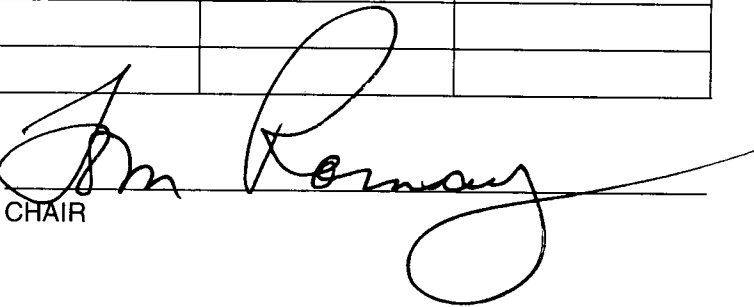
Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Ramsay, Chair	✓			
Lewis, G., Vice-chair				✓
Brown, B.	✓			
Chisum				✓
Farabee	✓			
Hilderbran				✓
Krusee				✓
Salinas	✓			
Swinford	✓			

Total 5 aye
 0 nay
 0 present, not voting
 4 absent


CHAIR

BILL ANALYSIS

Office of House Bill Analysis

C.S.H.B. 2620

By: Ramsay

County Affairs

4/11/1999

Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, there is no statutorily established procedure to be followed by a commissioners court to order a restriction on outdoor burning when necessary to protect public health and safety. C.S.H.B. 2620 establishes the standards relating to the adoption of a "burn ban" by a commissioners court. This bill describes the procedure to be followed by the commissioners court in ordering a restriction on outdoor burning, specifies the duration of such an order, allows for specific exceptions to the ban, allows injunctive relief for violations or threatened violations, and creates a penalty for intentional violations.

RULEMAKING AUTHORITY

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter Z, Chapter 240, Local Government Code, by adding Section 240.906, as follows:

Sec. 240.906. REGULATION OF OUTDOOR BURNING. (a) Defines "drought conditions."

(b) Requires the Texas Forest Service (service) to determine, on the request of the commissioners court of a county, whether drought conditions exist in all or part of a county. Requires the service to make available the measurement index guidelines used to determine if drought conditions exist in a particular area. Requires the service to notify the county when drought conditions no longer exist. Authorizes the service to accept donations of equipment or funds as necessary to carry out this section.

(c) Authorizes the commissioners court, by order, to prohibit or restrict outdoor burning in general, or of a particular substance in all or in part of the unincorporated area of the county if drought conditions have been determined to exist, and the commissioners court makes a finding that circumstances create a public safety hazard exacerbated by outdoor burning.

(d) Provides that an order adopted under this section must specify the period during which outdoor burning is prohibited or restricted, not to exceed 90 days after the date the order is adopted. Authorizes the commissioners court to adopt another order under this section on the expiration of the previous order.

(e) Provides that an order adopted under this section expires on the date a determination is made that drought conditions no longer exist, or a determination is made by the commissioners court that a hazard to public safety no longer exists.

(f) Provides that this section does not apply to outdoor burning activities related to public health and safety authorized by the Texas Natural Resource Conservation Commission for firefighter training or public utility, natural gas pipeline, or mining operations.

(g) Provides that any person is entitled to injunctive relief to prevent the violation or threatened violation of the prohibition or restriction established by an order under this section.

(h) Provides that a person commits a Class C misdemeanor if the person knowingly or intentionally violates a prohibition or restriction established by an order adopted under this section.

SECTION 2. Emergency clause.

Effective date: upon passage.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 2620 differs from the original bill in SECTION 1 by adding a new Subsection (f) to proposed Section 240.906, Local Government Code, providing that this section does not apply to outdoor burning activities related to public health and safety that are authorized by the Texas Natural Resource Conservation Commission for firefighter training or public utility, natural gas pipeline, or mining operations. Redesignates originally proposed Subsections (f) and (g) as (g) and (h).

SUMMARY OF COMMITTEE ACTION

HB 2620

April 7, 1999 8:00AM or upon adjournment
Considered in public hearing
Testimony taken in committee
Committee substitute considered in committee
Reported favorably as substituted

WITNESS LIST

HB 2620
HOUSE COMMITTEE REPORT
County Affairs Committee

April 7, 1999 - 8:00AM

For: Allison, Jim (County Judges & Commissioners Association
of Texas)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 8, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB 2620 by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.
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Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service

LBB Staff: JK, TL, LD, KC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 22, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB 2620 by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **As Introduced**

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ADOPTED

APR 26 1999

Sharon Carter
Chief Clerk
House of Representatives

By Ramsay
Substitute the following for H.B. No. 2620:

H.B. No. 2620

By B. Brown

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ENGROSSED
SECOND READING
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HOUSE ENGROSSMENT

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Austin, Texas

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April 8, 1999

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LBB Staff: JK, TL, LD, KC

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Austin, Texas

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LBB Staff: JK, TL, LD, KC

By: Ramsay (Senate Sponsor - Armbrister) H.B. No. 2620
(In the Senate - Received from the House April 28, 1999;
April 29, 1999, read first time and referred to Committee on
Intergovernmental Relations; May 14, 1999, reported favorably, as
amended, by the following vote: Yeas 4, Nays 0; May 14, 1999, sent
to printer.)

COMMITTEE AMENDMENT NO. 1

By: Ellis

Amend HB 2620 Section 1 by adding Section 240.906(f)(3) to read
Section 240.906(f) This Section does not apply to...
(3) harvesting of agriculture crops.

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(2) public utility, natural gas pipeline, or mining

operations.

(g) Any person is entitled to injunctive relief to prevent the violation or threatened violation of a prohibition or restriction established by an order adopted under this section.

(h) A person commits an offense if the person knowingly or intentionally violates a prohibition or restriction established by an order adopted under this section. An offense under this subsection is a Class C misdemeanor.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

* * * * *

FAVORABLY AS AMENDED
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 2620

By Ramsay / Armbrister
(Author/Senate Sponsor)

5-14-99
(date)

Sir:

We, your Committee on INTERGOVERNMENTAL RELATIONS, to which was referred the attached measure, have on 5-12-99, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass with 1 amendments, and be printed
☐ do pass with _____ amendments, and be ordered not printed
☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

An actuarial analysis was requested. ☐ yes ☒ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Frank Madla, Chairman	<input checked="" type="checkbox"/>			
Senator Jon Lindsay, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Rodney Ellis	<input checked="" type="checkbox"/>			
Senator Mike Moncrief	<input checked="" type="checkbox"/>			
Senator Drew Nixon			<input checked="" type="checkbox"/>	
TOTAL VOTES	<u>4</u>	<u>0</u>	<u>1</u>	<u>0</u>

COMMITTEE ACTION

☒ S260 Considered in public hearing
☐ S270 Testimony taken

Wilbur Stephens
COMMITTEE CLERK

Frank Madla
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with THREE signed copies of each committee amendment adopted
Retain one copy of this form for Committee files

WITNESS LIST

HB 2620
SENATE COMMITTEE REPORT
Intergovernmental Relations Committee

May 12, 1999 - 8:00A

Registering, but not testifying:

For: Allison, Jim (General Counsel, Co. Judges & Commissioners
Assoc. of TX), Austin

Gilchrist, Jennifer (Assoc. General Counsel, Assoc. of
Counties), Austin

Sims, Randy (Co. Comm., Brazos Co.), Bryan

Small, Ed (Consultant, Rio Grande Sugar Growers), Austin

York, Van (Judge, West TX Co. Judge & Commissioners Assoc.),
Gail

BILL ANALYSIS

Senate Research Center

H.B. 2620
By: Ramsay (Armbrister)
Intergovernmental Relations
5/13/1999
Committee Report (Amended)

DIGEST

Currently, there is no statutorily established procedure for a commissioners court to order a "burn ban." H.B. 2620 creates procedures for the commissioners court of a county to order the restriction or prohibition of outdoor burning, and creates a Class C misdemeanor offense for a violation of such an order.

PURPOSE

As proposed, H.B. 2620 creates authorization for the commissioners court of a county to order the restriction or prohibition of outdoor burning, and creates a Class C misdemeanor offense for a violation of such an order.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 240Z, Local Government Code, by adding Section 240.906, as follows:

Sec. 240.906. REGULATION OF OUTDOOR BURNING. Defines "drought conditions." Requires the Texas Forest Service (TFS), upon the request of the commissioners court of a county (CCC), to determine drought conditions of the county. Requires TFS to provide measurement index guidelines that determine drought conditions. Requires TFS to notify a county when its drought conditions no longer exist. Authorizes TFS to accept donations as necessary in carrying out this section. Authorizes CCC, by order, to prohibit or restrict outdoor burning under certain conditions. Requires an order adopted under this section to specify the burning restriction period. Prohibits the period from exceeding 90 days from the adoption of the order. Authorizes CCC to adopt an order that takes effect on the expiration of a previous order. Sets forth CCC order expiration dates. Provides that this section does not apply to certain outdoor burning activities. Entitles anyone to injunctive relief to prevent the violation of a burning restriction. Creates a Class C misdemeanor offense for a person who knowingly or intentionally violates an order adopted under this section.

SECTION 2. Emergency clause.
Effective date: upon passage.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 12, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HB 2620** by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **Committee Report 2nd House, as amended**

No fiscal implication to the State is anticipated.
--

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service

LBB Staff: JK, TL, LD, KC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 8, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB 2620 by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **As Engrossed**

No fiscal implication to the State is anticipated.
--

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service

LBB Staff: JK, TL, LD, KC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 8, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB 2620 by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.
--

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service

LBB Staff: JK, TL, LD, KC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 22, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HB 2620** by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

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Source Agencies: 576 Texas Forest Service

LBB Staff: JK, TL, LD, KC

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that HB 2620, by: Ramsay / Armbrister
(Bill No.) (Author/Sponsor)

was heard by the IGR Committee on 5-12, 1999,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Willy Septh
(Clerk of the reporting committee)

IMPORTANT: THE YELLOW COPY OF THIS FORM AND (1) COPY OF YOUR BILL OR RESOLUTION
(COMMITTEE PRINTED VERSION) MUST BE DELIVERED TO THE ADMINISTRATION OFFICE,
E1.714. DEADLINES FOR SUBMITTING BILLS WILL BE ANNOUNCED ON A REGULAR BASIS.

Committee Clerks: Original to Calendar Clerk. Pink copy for committee files. Green and yellow copies to bill author/sponsor.
Author/Sponsor: Green copy for office files. Submit yellow copy to Administration with your bill.

Amendment No. 1

HB 2620

Amend HB 2620 Section 1 by adding Section 240.906(f)(3) to read

Section 240.906(f) This Section does not apply to. . .

- (3) harvesting of agriculture crops.

ADOPTED

MAY 24 1999

Butt
Secretary of the Senate

SENATE AMENDMENTS

2nd Printing

By Ramsay

H.B. No. 2620

A BILL TO BE ENTITLED

AN ACT

relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 240, Local Government Code, is amended by adding Section 240.906 to read as follows:

Sec. 240.906. REGULATION OF OUTDOOR BURNING. (a) In this section, "drought conditions" means the existence of a long-term deficit of moisture creating atypically severe conditions with increased wildfire occurrence as defined by the Texas Forest Service through the use of the Keetch-Byram Drought Index or, when that index is not available, through the use of a comparable measurement that takes into consideration the burning index, spread component, or ignition component for the particular area.

(b) On the request of the commissioners court of a county, the Texas Forest Service shall determine whether drought conditions exist in all or part of the county. The Texas Forest Service shall make available the measurement index guidelines that determine whether a particular area is in drought condition. Following a determination that drought conditions exist, the Texas Forest Service shall notify the county when drought conditions no longer exist. The Texas Forest Service may accept donations of equipment or funds as necessary to aid the Texas Forest Service in carrying out this section.

1 (c) The commissioners court of a county by order may
2 prohibit or restrict outdoor burning in general or outdoor burning
3 of a particular substance in all or part of the unincorporated area
4 of the county if:

5 (1) drought conditions have been determined to exist
6 as provided by Subsection (b); or

7 (2) the commissioners court makes a finding that
8 circumstances present in all or part of the unincorporated area
9 create a public safety hazard that would be exacerbated by outdoor
10 burning.

11 (d) An order adopted under this section must specify the
12 period during which outdoor burning is prohibited or restricted.
13 The period may not extend beyond the 90th day after the date the
14 order is adopted. A commissioners court may adopt an order under
15 this section that takes effect on the expiration of a previous
16 order adopted under this section.

17 (e) An order adopted under this section expires, as
18 applicable, on the date:

19 (1) a determination is made under Subsection (b) that
20 drought conditions no longer exist; or

21 (2) a determination is made by the commissioners court
22 that the circumstances identified under Subsection (c)(2) no longer
23 exist.

24 (f) This section does not apply to outdoor burning
25 activities related to public health and safety that are authorized
26 by the Texas Natural Resource Conservation Commission for:

27 (1) firefighter training; or

1 (2) public utility, natural gas pipeline, or mining
2 operations.

3 (g) Any person is entitled to injunctive relief to prevent
4 the violation or threatened violation of a prohibition or
5 restriction established by an order adopted under this section.

6 (h) A person commits an offense if the person knowingly or
7 intentionally violates a prohibition or restriction established by
8 an order adopted under this section. An offense under this
9 subsection is a Class C misdemeanor.

10 SECTION 2. The importance of this legislation and the
11 crowded condition of the calendars in both houses create an
12 emergency and an imperative public necessity that the
13 constitutional rule requiring bills to be read on three several
14 days in each house be suspended, and this rule is hereby suspended,
15 and that this Act take effect and be in force from and after its
16 passage, and it is so enacted.

Amendment No. 1

HB 2620

Amend HB 2620 Section 1 by adding Section 240.906(f)(3) to read

Section 240.906(f) This Section does not apply to. . .

(3) harvesting of agriculture crops.

ADOPTED

MAY 24 1999

Atty. Gen.
Secretary of the Senate

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 12, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB 2620 by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **Committee Report 2nd House, as amended**

No fiscal implication to the State is anticipated.
--

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service

LBB Staff: JK, TL, LD, KC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 8, 1999

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB 2620 by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **As Engrossed**

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LBB Staff: JK, TL, LD, KC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 8, 1999

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FROM: John Keel, Director, Legislative Budget Board

IN RE: **HB 2620** by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **Committee Report 1st House, Substituted**

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LBB Staff: JK, TL, LD, KC

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

March 22, 1999

TO: Honorable Tom Ramsay, Chair, House Committee on County Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: HB 2620 by Ramsay (Relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 576 Texas Forest Service

LBB Staff: JK, TL, LD, KC

ENROLLED

H.B. No. 2620

AN ACT

relating to authorizing counties to prohibit or restrict outdoor burning; providing a criminal penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 240, Local Government Code, is amended by adding Section 240.906 to read as follows:

Sec. 240.906. REGULATION OF OUTDOOR BURNING. (a) In this section, "drought conditions" means the existence of a long-term deficit of moisture creating atypically severe conditions with increased wildfire occurrence as defined by the Texas Forest Service through the use of the Keetch-Byram Drought Index or, when that index is not available, through the use of a comparable measurement that takes into consideration the burning index, spread component, or ignition component for the particular area.

(b) On the request of the commissioners court of a county, the Texas Forest Service shall determine whether drought conditions exist in all or part of the county. The Texas Forest Service shall make available the measurement index guidelines that determine whether a particular area is in drought condition. Following a determination that drought conditions exist, the Texas Forest Service shall notify the county when drought conditions no longer exist. The Texas Forest Service may accept donations of equipment or funds as necessary to aid the Texas Forest Service in carrying out this section.

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2 prohibit or restrict outdoor burning in general or outdoor burning
3 of a particular substance in all or part of the unincorporated area
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6 as provided by Subsection (b); or

7 (2) the commissioners court makes a finding that
8 circumstances present in all or part of the unincorporated area
9 create a public safety hazard that would be exacerbated by outdoor
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11 (d) An order adopted under this section must specify the
12 period during which outdoor burning is prohibited or restricted.
13 The period may not extend beyond the 90th day after the date the
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15 this section that takes effect on the expiration of a previous
16 order adopted under this section.

17 (e) An order adopted under this section expires, as
18 applicable, on the date:

19 (1) a determination is made under Subsection (b) that
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21 (2) a determination is made by the commissioners court
22 that the circumstances identified under Subsection (c)(2) no longer
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27 (1) firefighter training;

1 (2) public utility, natural gas pipeline, or mining
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3 (3) harvesting of agriculture crops.

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9 an order adopted under this section. An offense under this
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11 SECTION 2. The importance of this legislation and the
12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended,
16 and that this Act take effect and be in force from and after its
17 passage, and it is so enacted.

H.B. No. 2620

President of the Senate

Speaker of the House

I certify that H.B. No. 2620 was passed by the House on April 27, 1999, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 2620 on May 26, 1999, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2620 was passed by the Senate, with amendments, on May 24, 1999, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 2620 was passed by the House on
(1)

APRIL 27, 1999, by a non-record vote;
(2)

and that the House concurred in Senate amendments to H.B. No. 2620
on MAY 26, 1999, by a non-record vote.
(3)

Chief Clerk of the House

**** Preparation: CT47;

I certify that H.B. No. 2620 was passed by the Senate, with
(1)
amendments, on MAY 24, 1999, by the
(2)
following vote: Yeas 30, Nays 0.
(3) (4)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: CT32;

76TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form
in lieu of the front or the back of the original bill)

For chief clerk use only

Bill or Resolution Number: HB 2621

Lee Palmer
signature of primary author

Palmer
printed name of primary author

03.09.99
Date

PERMISSION TO SIGN HB 2621 HAS BEEN GIVEN TO (check only one of the following):
(bill or resolution #)

☒ ALL REPRESENTATIVES

☐ THE FOLLOWING REPRESENTATIVE(S): _____

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2120 Alexander</u>	<u> </u> Date	<u>A2600 Counts</u>	<u> </u> Date	<u>A2795 Farabee</u>	<u> </u> Date
<u>A2115 Allen</u>	<u> </u> Date	<u>A2605 Crabb</u>	<u> </u> Date	<u>A2810 Farrar</u>	<u> </u> Date
<u>A2105 Alvarado</u>	<u> </u> Date	<u>A2610 Craddick</u>	<u> </u> Date	<u>A2840 Flores</u>	<u> </u> Date
<u>A2135 Averitt</u>	<u> </u> Date	<u>A2615 Crownover</u>	<u> </u> Date	<u>A2920 Gallego</u>	<u> </u> Date
<u>A2160 Bailey</u>	<u> </u> Date	<u>A2645 Cuellar</u>	<u> </u> Date	<u>A2930 Garcia</u>	<u> </u> Date
<u>A2205 Berman</u>	<u> </u> Date	<u>A2635 Culberson</u>	<u> </u> Date	<u>A2940 George</u>	<u> </u> Date
<u>A2250 Bonnen</u>	<u> </u> Date	<u>A2670 Danburg</u>	<u> </u> Date	<u>A2935 Giddings</u>	<u> </u> Date
<u>A2275 Bosse</u>	<u> </u> Date	<u>A2620 Davis, John</u>	<u> </u> Date	<u>A2880 Glaze</u>	<u> </u> Date
<u>A2260 Brimer</u>	<u> </u> Date	<u>A2625 Davis, Yvonne</u>	<u> </u> Date	<u>A2985 Goodman</u>	<u> </u> Date
<u>A2265 Brown, Betty</u>	<u> </u> Date	<u>A2680 Delisi</u>	<u> </u> Date	<u>A2990 Goolsby</u>	<u> </u> Date
<u>A2270 Brown, Fred</u>	<u> </u> Date	<u>A3385 Denny</u>	<u> </u> Date	<u>A3005 Gray</u>	<u> </u> Date
<u>A2255 Burnam</u>	<u> </u> Date	<u>A2690 Deshotel</u>	<u> </u> Date	<u>A3000 Green</u>	<u> </u> Date
<u>A2300 Capelo</u>	<u> </u> Date	<u>A2705 Driver</u>	<u> </u> Date	<u>A3010 Greenberg</u>	<u> </u> Date
<u>A2400 Carter</u>	<u> </u> Date	<u>A2665 Dukes</u>	<u> </u> Date	<u>A3020 Grusendorf</u>	<u> </u> Date
<u>A2585 Chavez</u>	<u> </u> Date	<u>A2660 Dunnam</u>	<u> </u> Date	<u>A3030 Gutierrez</u>	<u> </u> Date
<u>A2480 Chisum</u>	<u> </u> Date	<u>A2650 Dutton</u>	<u> </u> Date	<u>A3035 Haggerty</u>	<u> </u> Date
<u>A2525 Christian</u>	<u> </u> Date	<u>A2770 Edwards</u>	<u> </u> Date	<u>A2695 Hamric</u>	<u> </u> Date
<u>A2520 Clark</u>	<u> </u> Date	<u>A2760 Ehrhardt</u>	<u> </u> Date	<u>A3160 Hardcastle</u>	<u> </u> Date
<u>A2435 Coleman</u>	<u> </u> Date	<u>A2775 Eiland</u>	<u> </u> Date	<u>A3170 Hartnett</u>	<u> </u> Date
<u>A2565 Cook</u>	<u> </u> Date	<u>A2785 Elkins</u>	<u> </u> Date	<u>A3345 Hawley</u>	<u> </u> Date
<u>A2595 Corte</u>	<u> </u> Date	<u>A2790 Ellis, Dan</u>	<u> </u> Date	<u>A3180 Heflin</u>	<u> </u> Date

For chief clerk use only
Bill or Resolution Number: HB 2621

A3310 Hilbert	Date	A3715 Madden	Date	A4435 Shields	Date
A3250 Hilderbran	Date	A3750 Marchant	Date	A4445 Siebert	Date
A3275 Hill	Date	A2700 Maxey	Date	A4525 Smith	Date
A3270 Hinojosa	Date	A3665 McCall	Date	A4530 Smithee	Date
A3305 Hochberg	Date	A3650 McClendon	Date	A4550 Solis, Jim	Date
A3290 Hodge	Date	A3845 McReynolds	Date	A4560 Solis, Juan	Date
A3325 Homer	Date	A3840 Merritt	Date	A4505 Solomons	Date
A3320 Hope	Date	A3855 Moreno, Joe	Date	A4515 Staples	Date
A3315 Howard	Date	A3860 Moreno, Paul	Date	A4570 Swinford	Date
A3355 Hunter	Date	A3870 Morrison	Date	A4585 Talton	Date
A3360 Hupp	Date	A3865 Mowery	Date	A4605 Telford	Date
A3375 Isett	Date	A3885 Naishtat	Date	A4630 Thompson	Date
A3415 Janek	Date	A3890 Najera	Date	A4635 Tillery	Date
A3410 Jones, Charles	Date	A3895 Nixon, Joe	Date	A4650 Truitt	Date
A3405 Jones, Delwin	Date	A3900 Noriega	Date	A2730 Turner, Bob	Date
A3400 Jones, Jesse	Date	A3880 Oliveira	Date	A4685 Turner, Sylvester	Date
A3440 Junell	Date	A3886 Olivo	Date	A4690 Uher	Date
A3475 Keel	Date	A4010 Palmer	Date	A4695 Uresti	Date
A3480 Keffer	Date	A4180 Pickett	Date	A4720 Van de Putte	Date
A3470 King, Phil	Date	A4185 Pitts	Date	A4990 Walker	Date
A3465 King, Tracy	Date	A4200 Puente	Date	A4995 West, George "Buddy"	Date
A3485 Krusee	Date	A4210 Ramsay	Date	A5035 Williams	Date
A3450 Kuempel	Date	A4240 Rangel	Date	A5000 Wilson	Date
A3510 Laney	Date	A4245 Reyna, Arthur	Date	A5020 Wise	Date
A3520 Lengefeld	Date	A4236 Reyna, Elvira	Date	A5015 Wohlgemuth	Date
A3605 Lewis, Glenn	Date	A4250 Ritter	Date	A4980 Wolens	Date
A3600 Lewis, Ron	Date	A4370 Sadler	Date	A5005 Woolley	Date
A3615 Longoria	Date	A4380 Salinas	Date	A5025 Yarbrough	Date
A3620 Luna, Vilma	Date	A4420 Seaman	Date	A5040 Zbranek	Date

A BILL TO BE ENTITLED
AN ACT

By

Tom Ramsey

Relating to authorizing counties to prohibit or restrict outdoor burning, providing a criminal penalty.

MAR 09 1999

Filed with the Chief Clerk

MAR 11 1999

Read first time and referred to Committee on County Affairs

APR 07 1999

Reported favorably ~~(as amended)~~
(as substituted)

APR 15 1999

Sent to Committee on (Calendars)

~~(Consent Calendars)~~

APR 26 1999

Read second time comm. subst. ~~(amended)~~; passed to third reading ~~(failed)~~ by a (non-record vote)
~~(record vote of _____ yeas, _____ nays, _____ present, not voting)~~Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

APR 27 1999

Read third time ~~(amended)~~; finally passed ~~(failed to pass)~~ by a (non-record vote)
~~(record vote of _____ yeas, _____ nays, _____ present, not voting)~~

APR 28 1999

Engrossed

APR 28 1999

Sent to Senate

Sharon Carter

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

APR 28 1999

Received from the House

APR 29 1999

Read and referred to Committee on INTERGOVERNMENTAL RELATIONS

MAY 14 1999

Reported favorably as amended

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

MAY 24 1999

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

MAY 24 1999

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

MAY 24 1999

Senate and Constitutional 3 Day Rules suspended by a vote of 30 yeas, 0 nays

MAY 24 1999

Read third time, _____, and passed by ~~(a viva voce vote)~~
(30 yeas, 9 nays)

May 24, 1999

Returned to the House

Loretta L. Smith
SECRETARY OF THE SENATE

OTHER SENATE ACTION:

MAY 24 1999

Returned from the Senate ~~(as submitted)~~
(with amendments)

MAY 26 1999

House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,

Senate granted House request. Senate conferees appointed: _____, Chair;

Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

99 MAY 24 PM 6:08

HOUSE OF REPRESENTATIVES

99 MAY 14 PM 6:11

HOUSE OF REPRESENTATIVES

2620

2620